

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 O. O. C. J.

Chamber summons No.343 of 1997

In

Execution Application No.405 of 1994

In

Suit No.2774 of 1984

Indian Overseas Bank Plaintiff
 v/s.

M/s.Esquire Video Films Services Pvt.
 Ltd. & ors. Defendants

And

Mitsui Osk Manning Services S.A. & ors. .. Respondents

Mr.P.V. Shah for Plaintiff.

Mr.A. Doijode with P.A. Kabadi for Res.No.1.

Mr.Kazi, Dy. Sheriff, present.

CORAM : SMT.ROSHAN DALVI, J.

Dated : 31st July, 2008

P.C. :

1. The Plaintiff-Bank has filed this Suit in 1984. The Suit was decreed in 1989. A decree has been satisfied in 1997. Some amount was left in balance after satisfaction of the Plaintiff's decree. The Corporation Bank and Respondent No.1 herein were the claimants. In the initial proceedings taken out by the Corporation Bank, the Sheriff of Mumbai was directed not to part with the balance amount remaining with him which was then Rs.73 Lacs. The claim of the Corporation

Bank came to be settled and the proceedings of the Corporation Bank came to be closed on 21.7.2008. The order directing the Sheriff not to part with the amount is now required to be modified. Respondent No.1 is the only claimant of the amount at present. The amount lying with the Sheriff together with all the accrued interest shall be paid over to Respondent No.1. The Chamber Summons is disposed of.

[SMT.ROSHAN DALVI, J.]